

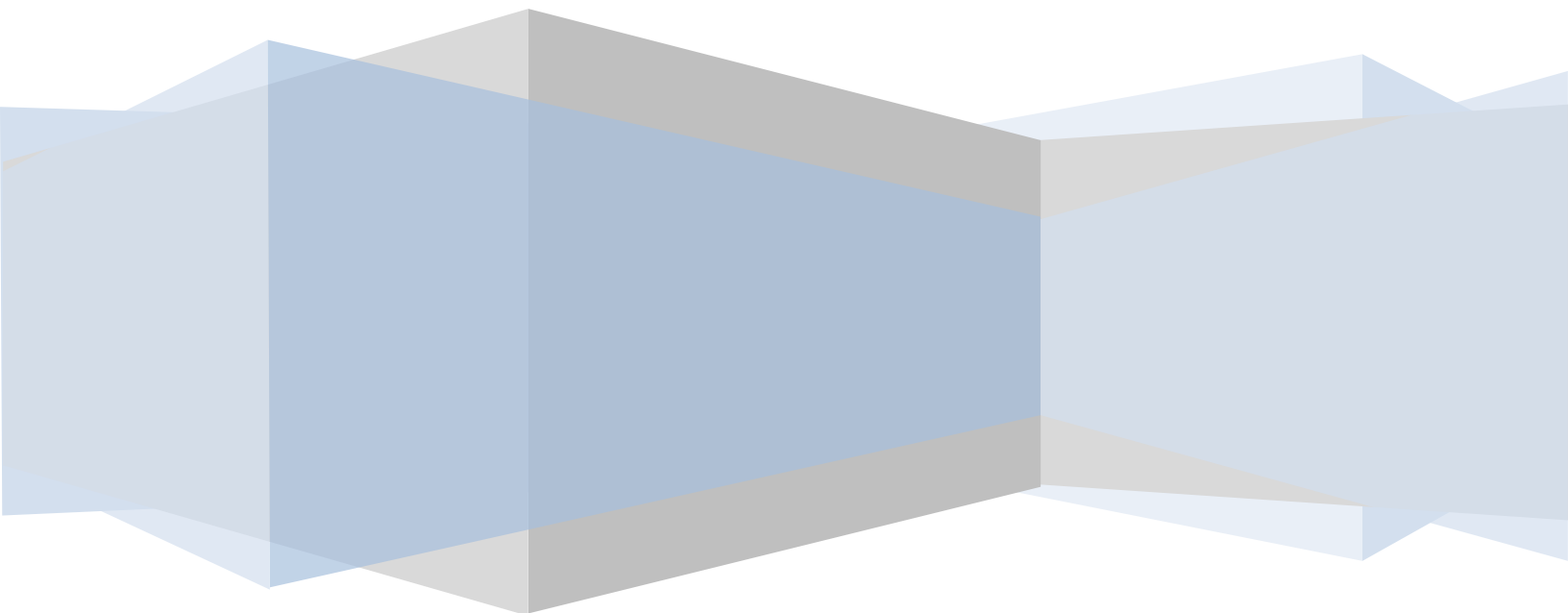
*Utah Department of Transportation*



# **Best Value Design-Build Selection**

**Manual of Instruction**

**Updated February 2016**



## SUMMARY

*This is a manual of instruction that gives direction on how selection processes occur on Best Value Design-Build projects. The phrase “best value” includes projects with technical and price components; including fixed price/best design [variable scope]. These processes may be similar to Low Bid Design-Build but not specific to those types of projects.*

*The following pages incorporate lessons learned, including a selection process diagram wherein the blinding is shown from analysis and evaluation, through the final best value selection with the process witnesses identified at each step along the way. The purpose of the blinding is to eliminate any bias from the selection process.*

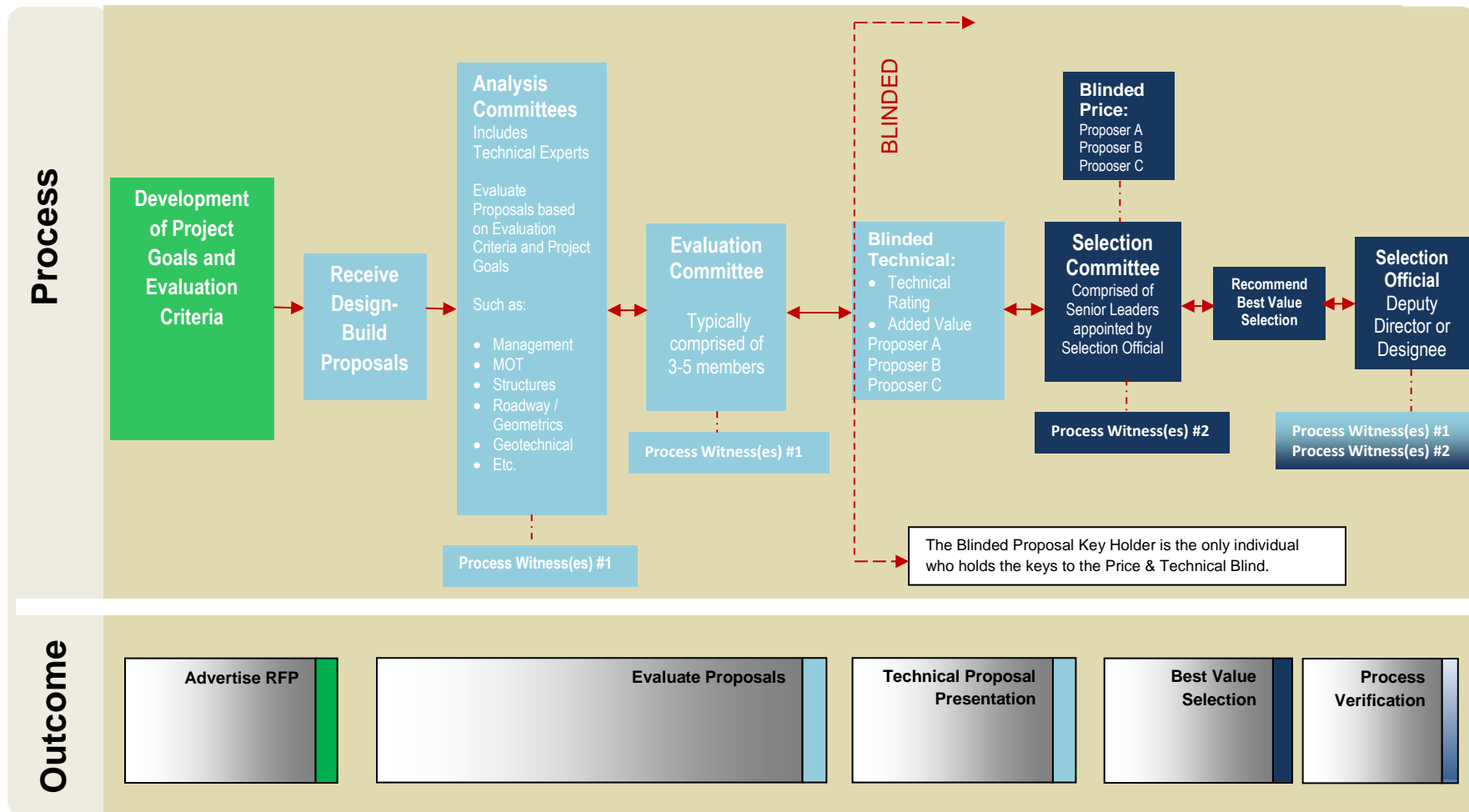
*In addition, this document provides guidance as to the development of project goals and defines team members’ roles and responsibilities to assist in the procurement and advertising Best Value Design-Build projects.*

*All Best Value Design-Build projects will follow the selection process as outlined herein unless otherwise approved by the Selection Committee.*

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# Development of Design-Build Selection Process & Outcomes



*Note: This process diagram is used for all DB delivery methods, except Low Bid.*

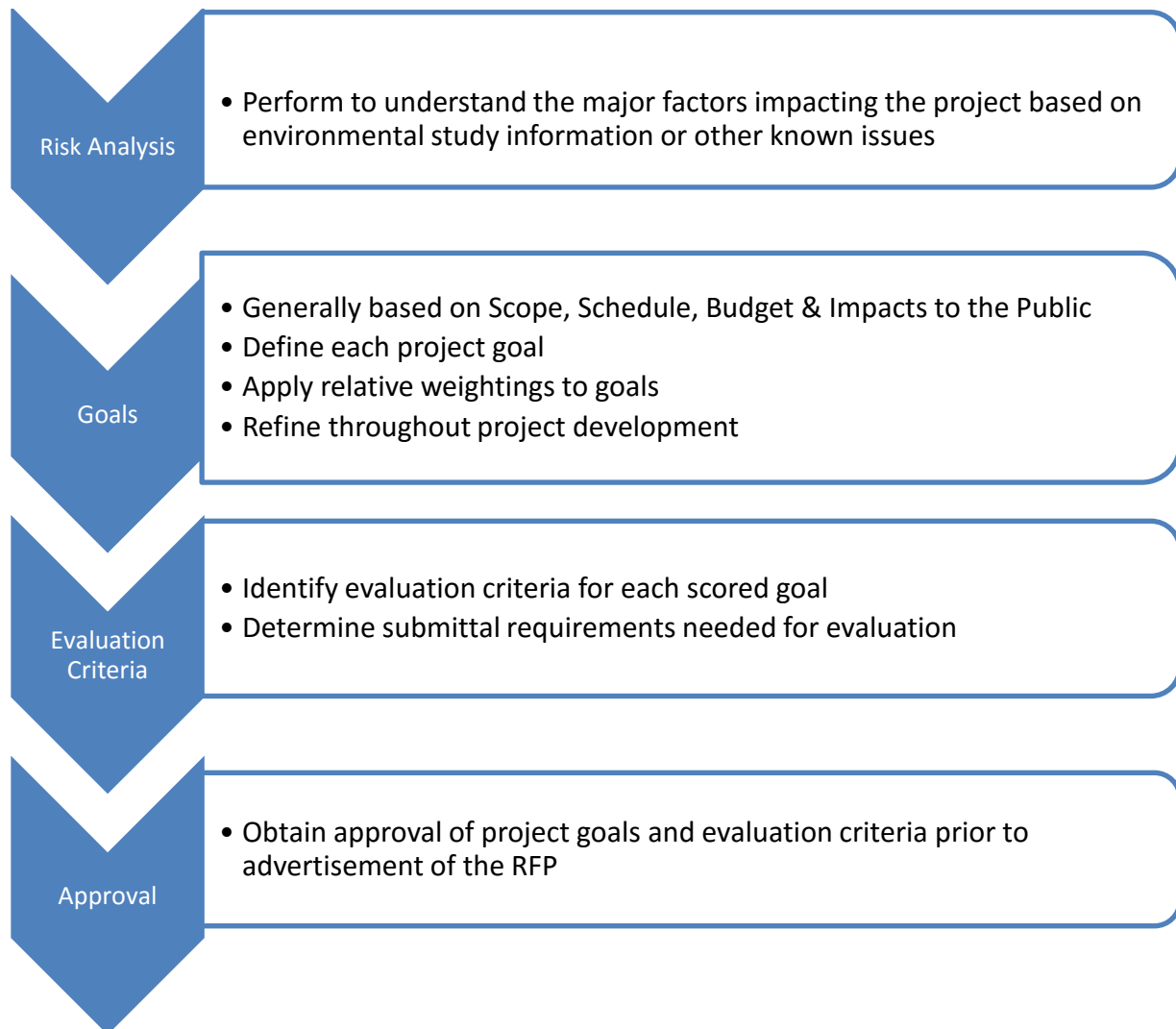
*Blinded - Conceal the identity of the Design-Builders submitting the Proposals; Ensures Proposals are reviewed objectively and that the possibility of bias, whether real or perceived is avoided.*

# Development & Approval of Project Goals

## PROJECT GOALS

1. Project Team perform risk analysis to understand the major factors impacting the project based on environmental study information or other known issues (such as geotechnical, utilities, and right-of-way).
2. Project Team and Region Leadership identify goals to recommend to the Selection Committee and senior leadership.
  - a. The goals should be concise and generally based on the following:
    - Scope
    - Schedule
    - Budget
    - Impacts to the Public
3. Apply relative weightings to goals.
4. Identify evaluation criteria for each scored goal.
5. Refine goals and evaluation criteria throughout project development. Consult with the Selection Committee whenever revisions are made to the goals.
6. Seek approval of the project goals and evaluation criteria from the Selection Committee.

# Development of Project Goals



## **Roles & Responsibilities of Analysis Committee**

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1. Analysis Committees and/or sub-committees are needed to evaluate each scored goal.
  - a. Analysis Committee members consist of technical experts.
    - i. Members will be identified by the Evaluation Committee and approved by the Selection Official.
    - ii. Members can work on different Committees and/or sub-Committees.
    - iii. Members should have appropriate experience for the element they are reviewing.
    - iv. Each Analysis Committee has a leader who will be trained regarding the procurement process.
2. Prior to proposal due date, read and understand the contents of the ITP & RFP. Understand and be familiar with the project goals and evaluation criteria.
3. Read and understand the contents of the Evaluation & Selection Manual (consists of goals, evaluation criteria and submittal requirements).
4. Analyze the proposals based on the goals.
  - a. Find the facts within the proposals.
  - b. Identify the added values, risks, strengths and weaknesses.
    - i. Proposed added values that do not fall within the added value areas (i.e. Right-of-Way, Structures, Geotech, Schedule, Utilities) defined in the Instructions to Proposers (ITP) are evaluated adjectivally and documented as strengths/weaknesses.
  - c. Identify any deficiencies.
    - i. Prepare a draft Request for Clarification (RFC) for the Evaluation Committee as needed.
5. Rules:
  - a. Analysis Committee(s) are not allowed to attempt to influence another Analysis Committee.
6. Deliverable:
  - a. Prepare an RFC for any deficiencies and/or fatal flaws needing clarification and provide to Evaluation Committee immediately upon identification.
  - b. Present proposal analysis by consensus to the Evaluation Committee.

- i. Provide evaluation criteria ratings.
- ii. Provide summary of strengths and weaknesses.
- iii. Presentation may include estimated added value(s) or risk costs identified during the analysis.
- iv. Provide justification for each item identified in the analysis.

## **Roles & Responsibilities of Evaluation Committee**

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1. Evaluation Committee typically consists of 3 – 5 members and may include additional advisors.
  - a. Typically the Project Manager or Project Director will chair the Evaluation Committee.
  - b. Other members typically include EM II or above, and Committee members approved by the Selection Official.
  - c. Evaluation Committee members should be UDOT employees.
  - d. Evaluation Committee members and advisors should be involved in any risk analysis completed prior to Proposal Evaluation.
2. Prior to proposal due date, read and understand the contents of the ITP & RFP. Understand and be familiar with the project goals and evaluation criteria.
3. Read and understand the contents of the Evaluation & Selection Manual (consists of goals, evaluation criteria and submittal requirements).
4. The Evaluation Committee Chair will offer One-on-One meetings to each Proposer.
  - a. Number of meetings may vary depending on the size and complexity of the project.
  - b. One-on-One meetings are for informal discussions (as per CFR §636, Subpart E – Discussions, Proposal Revisions, and Source Selection). Minutes will not be taken.
  - c. Any communication that follows these meetings will follow the processes outlined in the ITP/RFP, such as Alternative Technical Concept (ATC) process, RFC process, Addenda, and incorporation into the Proposal.
5. For each Analysis Committee, select Analysis Committee members and appoint a Committee chair.
6. Train Analysis Committee(s) and ensure that process is followed as outlined in the RFP, ITP and Evaluation & Selection Manual.
7. Ensure the evaluation is based on RFP evaluation criteria which are aligned with the project goals.



8. Evaluate deliverables presented by the Analysis Committees.
9. Follow up with Analysis Committees as needed to reach a consensus.
10. Blind the Proposals, and create the technical key to the blinding.
11. Preserve the integrity of the blind.
12. Deliverables:
  - a. Develop and send any needed Request for Clarifications (RFCs) to proposers.
    - i. Do not finalize adjectival rating or added value for technical evaluation criteria until RFC response is received.
  - b. Document and present all of the blinded technical information necessary for the Selection Committee (SC) to make a best value selection.
    - i. Based upon evaluation criteria ratings, rate each scored goal and assign overall proposer ratings.
    - ii. Provide additional blinded selection information to assist the Selection Committee, (such as Cost Estimate Validation Process (Monte Carlo), risks, probability and/or schedule analysis {based on the key items identified in the RFP}).
    - iii. Provide justification of recommendations.

## **Roles & Responsibilities of Selection Committee**

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1. Selection Committee consists of at least two UDOT senior leaders.
  - a. Typically includes the project's Region Director and others approved by the Selection Official.
2. Meet with the Evaluation Committee early in the process to discuss the project and agree on purpose and objective of the project.
3. Approve project goals, and evaluation criteria prior to advertising the RFP.
4. Ensure that discussions related to the proposal presentation are aligned with the project goals and evaluation criteria identified in the ITP.
5. Review blinded technical information from the Evaluation Committee combined with blinded price proposals to make a determination of best value.
  - a. May be an iterative process until a complete understanding of the recommended blinded technical rating(s) is achieved.

6. Deliverables:
  - a. Determination of overall best value selection.
    - i. Combination of blinded technical and blinded price proposals
  - b. Provide a written and blinded justification of best value selection.
  - c. Present recommendation of best value to Selection Official for concurrence.

*Note: Unveiling of the blind does not occur until Selection Official concurs with the best value selection.*

## **Roles & Responsibilities of Process Witnesses and Blinded Proposal Key Holder**

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1. There are two sets of Process Witnesses.
  - a. Process Witness(es) #1 observe Analysis Committee and Evaluation Committee meetings and provide process support to the Selection Committee, as needed:
    - i. Ensure the evaluation & selection process is followed.
    - ii. Ensure the Analysis Committee(s) and Evaluation Committee decisions align with the project goals, values, and evaluation criteria.
    - iii. Watch for, and report any unfair or biased treatment of Proposers to the Selection Official.
    - iv. Confirm that blinding of the Proposals is established prior to presenting to the Selection Committee.
    - v. Confirm that RFCs are drafted according to the RFP.
  - b. Process Witness(es) #2 observe the Selection Committee meeting:
    - i. Witness the selection process.
    - ii. Witness that blinding of the technical and price proposals is maintained during the process.
    - iii. Watch for, and report any unfair or biased treatment of Proposers to the Selection Official.
    - iv. Process Witness(es) #2 observe the following:
      1. Evaluation Committee's presentation to the Selection Committee;
      2. Selection Committee's deliberation, including any follow up requested of the Evaluation Committee; and
      3. The results of the Selection Committee's best value selection.

- c. Process witnesses are not active participants in any of the committees. They are there to observe the process and provide reminders of the process as needed.
2. There is one Blinded Proposal Key Holder.
  - a. The Blinded Proposal Key Holder secures the only copy of the technical and price proposal keys (the keys align the names of the Proposers with their designated aliases for the technical and price proposals) until the Selection Official requests that the keys are unveiled.

## **Roles & Responsibilities of Selection Official**

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1. The Selection Official is the Deputy Director of UDOT or Designee.
2. Approves the makeup of the Analysis Committees, Evaluation Committee, Selection Committee, Process Witnesses, and Blinded Proposal Key Holder.
3. Approves Selection Committee's best value selection.
4. Confirms through discussions with the Process Witnesses that all processes were followed.
5. Ensures that proper documentation is completed by the Selection Committee.
6. Requests the unveiling of the blind from the Blinded Proposal Key Holder, once Selection Committee's best value selection has been approved.
7. Documents official announcement of best value selection.
8. Authorizes notification of best value selection to Proposers and posting to the UDOT website.

## **Conflict Resolution**

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1. Differences of opinions between committees, and/or Selection Committee and the Selection Official, are addressed through consensus. Each side agrees on the resolution prior to moving to the next step in the process.